

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RONALD JEROME FISHER,

Petitioner,

v.

PAUL M. SCHULTZ, Warden,

Respondent.

1:05-CV-0388-REC-TAG HC

ORDER DENYING AS MOOT
PETITIONER'S MOTION FOR EXTENSION
OF TIME TO FILE OBJECTIONS
(DOC. 6)

Petitioner is a prisoner proceeding pro se in a habeas corpus action pursuant to 28 U.S.C. S § 2241. On July 5, 2005, Petitioner filed a motion to extend time to file objections to the Magistrate Judge's Report and Recommendation to dismiss the petition. (Doc. 6). On July 19, 2005, while Petitioner's request for time was still pending, Petitioner submitted his objections to the Report and Recommendation. (Doc. 7). Subsequently, on July 29, 2005, the District Judge concurred with the Magistrate Judge's recommendation, entered judgment against Petitioner, and dismissed the petition. (Doc. 9). In so doing, the District Judge considered Petitioner's objections and deemed them timely. (Id.). Accordingly, Petitioner's request for an extension of time (Doc. 6), is DENIED as MOOT.

IT IS SO ORDERED.

Dated: August 2, 2005

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/s/ Theresa A. Goldner

UNITED STATES MAGISTRATE JUDGE